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**Congress of the United States**  
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October 15, 2003

Mr. Paul Howard  
Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, Massachusetts 01950

Dear Mr. Howard:

Thank you for your continued good work for the New England Fishery Management Council. Below are my comments on Amendment 13 to the New England Groundfish Management Plan, currently under review by the Council. I strongly believe that the details of fisheries management should be decided at the Council level, through the democratic, stakeholder-driven process set in place. Thus, my comments are more general in nature, and focus on issues such as fair and equitable access to Gulf of Maine fisheries, and the environmental, economic, and social implications of the decisions now before the Council.

Fishing Effort Reduction and Allocation

Amendment 13 is expected to reduce fishing effort on groundfish stocks to rebuild the fishery in accordance with the Sustainable Fisheries Act. Historically, the New England fishing industry has always been a key element of community economies. Therefore, the Council should support provisions that cause the least negative economic impact to fishermen, fishing-related businesses, and coastal communities. When considering how to implement fishing effort reductions, the Council should take into account requirements for shore-based industry survival such as landings volume and predictability. If sectors of the fishing industry are lost due to Amendment 13, we may find their revival, in most communities, to be more difficult than rebuilding groundfish stocks.

Consolidation of the fleet seems inevitable through Amendment 13. I ask the Council to consider what is the realistic minimum volume and value of fish that vessels can land to remain profitable so that the costs of vessel insurance and maintenance and crew salary can be met. Many fishermen in Maine are already under pressure from the recent court ruling that reduced fishing effort by freezing the groundfishing days-at-sea (DAS) allocation of each vessel and then lowered that cap by 20 percent. Further reductions in

DAS seem certain to drive even the most competent and resourceful fishermen out of the business.

If a DAS leasing program is initiated by the Council, I urge that the following concerns be met:

- Leasing of DAS should be allowed only within the same vessel size or horsepower category, gear type, or other appropriate qualifier to maintain the diverse nature of the New England groundfishing fleet;
- Catch history of the lessor should be preserved so that the lessor does not lose the opportunity to reenter the fishery in the future;
- There should be a cap on the number of DAS a lessee can acquire to minimize excessive share issues;
- Current effective effort in the fishery should not be substantially increased.

#### Steaming Time

Due to the limited number of fishing days-at-sea and the distance between Maine's ports and the offshore fishing grounds of the Gulf of Maine and Georges Bank, Maine's fishermen are at a distinct disadvantage compared to southern fleets. Offshore fishermen from states to our south can spend their DAS much more efficiently than the Maine-based fleet. Many of Maine's fishermen are already landing their fish at southern ports in direct response to the pressure to conserve DAS. This attrition has a negative ripple effect on Maine's coastal economy as Maine's fishing-related industries struggle for survival. The time required to transit to and from fishing grounds when counting DAS must be given further consideration by the Council.

#### Future Access

Please ensure that, with future consolidation, no one entity or sector gain exclusive access to an excessive share of the total allowable catch. Due to consolidation that has already occurred, the groundfish industry in Maine is primarily Portland-based. With the projected increases in groundfish stocks and harvests in the coming years under all of the rebuilding options, both large-and small-scale fishermen should be permitted to harvest. Maine's coastal communities, particularly those north of Portland, are already changing due to fleet contraction and the loss of working waterfront. It would be short-sighted for the Council to impose a management plan that did not allow for future diversification of the fleet as stock rebuilding permits.

#### Hard TACs

Implementing a hard total allowable catch (TAC) for the New England groundfishery is one of the effort reduction measures currently being considered. Moving

to a hard TAC management system would be a significant departure from the current system of input controls. I ask the Council to consider carefully whether or not it is capable of implementing a hard TAC system at this time that does not encourage bycatch discards, dishonest reporting, or a "derby fishery." A successful hard TAC system would have to:

- Include a fair and equitable quota allocation among fishermen and sectors;
- Maintain sufficient and accurate data collection throughout the season on fish stocks, landings, and bycatch;
- Address all of the problems realized more than 20 years ago when the Council previously tried catch quotas.

Unless these potential disadvantages can be eliminated, I believe it would be unwise to proceed with a hard TAC system.

#### Collaborative Research

I also believe that the Council should make a more concerted effort to foster collaborative research and include its results in fisheries management decisions. Fishermen are often required to use up a day-at-sea when participating in collaborative research, even though it is not nearly as profitable as a day spent fishing. The DAS issue needs careful consideration to make sure that our fishermen can continue to participate in collaborative research without the penalty of losing days or with inclusion of research days in their historical record of time at sea for consideration when future allocation decisions are made based on historical time at sea.

I urge the Council to ensure that research permit requests be processed as efficiently as possible. The research efforts of fishermen and institutions in Maine, which are dedicated to improving fishing gear and expanding our knowledge of the fishery, should not be encumbered by an inefficient permit approval process. We should be encouraging fishermen, scientists, and managers to cooperate, because collaborative research is a win-win situation for all.

#### Improved Knowledge of the Gulf of Maine Ecosystem

There is much talk recently about the need to have a more ecosystem-based approach to fisheries management in the Gulf of Maine and I ask the Council to consider if and how Amendment 13 is moving towards that goal. This objective may require better dealer reporting and vessel monitoring, in addition to pure scientific research. Any improvements in reporting requirements implemented at this time should consider the reliability and costs of various tracking technologies, although in our internet-driven world, there must be feasible ways to improve. I applaud those who are asking how we can manage our fisheries even better.

The challenges facing marine ecosystems in the Gulf of Maine are many-faceted and complex. However, there has been commendable progress towards managing sustainable fisheries by the New England Fishery Management Council. Thank you for considering my comments. I will continue to follow our fishery issues closely and work to ensure that the commercial fishing industry remains viable for the Northeast. Feel free to contact me or my staff at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Allen", with a long horizontal flourish extending to the right.

Tom Allen  
Member of Congress

THA:rg